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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/481,984	01/11/2000	MICHAEL D. DOYLE	19850-2US	6418

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EXAMINER

EL HADY, NABIL M

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 07/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/481,984

Applicant(s)

DOYLE, MICHAEL D.

Examiner

Nabil M El-Hady

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 06 June 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. Claim 4 is pending in this application.
2. The reference to a source code appendix in page 8, lines 12-13 is objected to for the following reasons: the computer program listing submitted with the application cannot be printed because the appendix is having over 300 lines. The computer program listing must be submitted on a compact disc in compliance with 1.52(e) and no other format shall be allowed (e.g. microfiche). A compact disc containing such computer program listing is to be referred to as a "computer program listing appendix". The "computer program listing appendix" will not be part of the printed patent. The specification must include a reference to the "computer program listing appendix" at the location indicated in 1.77(b)(4).
3. Claim 4 is objected to because of the following informalities: the word "that is repeated in line 22. Appropriate correction is required.
4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following terms lack antecedent basis:

- a) "the set of widgets", line 2;

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- b) "the graphical script language platform interface", line 2;
- c) "the scripting language", line 4;
- d) "the extension command syntax", lines 4-5;
- e) "the graphical script language program interface", lines 9-10;
- f) "the source locator parameter", line 12;
- g) "the syntax of the extension command", lines 12-13;
- h) "the plug-in application", lines 17-18;
- i) "the script", line 22;
- j) "the browser-plug in application", line 22;
- l) "the script language platform", line 23.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicant Admitted prior Art, hereafter "AAPA" in view of Guthrie (USPN 6,266,681 B1).

11. As to claim 4, AAPA discloses the invention substantially as claimed including forming an extension of a scripting language platform that extends a set of widgets to include web browser plug-in applications designed to extend the functionality of web browser programs by adding an extension command to the script language including a source locator parameter (page 2, line 4 to page 3, line 14), comprising the steps of parsing a program script to locate an

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embed command, parsing the embed command to locate a source reference and source format information, fetching an embedded object referenced by the source reference (page 2, lines 5-11, 28-30; and page 3, lines 5-8), and manipulating the browser plug-in application as a widget native to the script language (page 2, lines 16-19, 23-24; and page 3, lines 10-14). The computer program product comprising a computer readable storage medium and program codes to accomplish that would be obviously inherent in AAPA's disclosure.

12. AAPA does not explicitly disclose creating a plug-in-interface-controlled window. Guthrie, on the other hand, discloses creating a window, controlled by the plug-in interpreter extension to allow the plug-in application to display and interactively manipulate the embedded object (col. 3, lines 24-26). It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of AAPA and Guthrie because Guthrie's window would provide AAPA's method with additional user interface capability to the browser application which provides the user with immediate access to more applications.

8. Applicant's arguments filed 6/6/2002 have been fully considered but they are not persuasive. Therefore rejection of claim 4 is maintained.

9. In the remarks, applicants argued in substance that (1), no disclosure in any of the cited references of the claimed step of parsing a script to identify an extension command and a source locator parameter; (2), no disclosure in any of the cited references of providing plug-in extension code for a scripting language platform to fetch objects by the locator parameter; (3)

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neither references suggests the claimed technique of extending the set of script language platform widgets to include the entire existing installed base of browser plug-in application.

10. Examiner respectfully traverses applicants' remarks.

11. As to point (1), AAPA discloses in page 3, lines 5-12 the step of parsing a script to identify an extension command and inherently a source locator parameter.

12. As to point (2), AIAA discloses in page 2, lines 28-30 and page 3, lines 5-12 providing plug-in extension code for a scripting language platform to fetch objects by an inherent locator parameter.

13. As to point (3), In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., extending the set of script language platform widgets to include the entire existing installed base of browser plug-in application) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M El-Hady whose telephone number is (703) 308-7990. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T An can be reached on (703) 305-9678. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7239 for regular communications and (703) 308-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


ZARNI MAUNG
PRIMARY EXAMINER

Nabil El-Hady
June 22, 2002